

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 07-20071-B

MICHAEL D. MASON,

Defendant.

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**ORDER CONTINUING REPORT DATE *SUA SPONTE***

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The Court conducted a status conference with the Defendant, Michael D. Mason, and the attorney for the government, Stuart Canale, on April 24, 2007. At that time, the Court, with consent of the Defendant, appointed Steve Shankman as Assistance Counsel for the Defendant. In addition, the Defendant discussed the fact that he was seeking a physician for consultation regarding a medical condition. As a result, the Court requested that the Defendant inform his physician to send a letter to the Court, with copies to the government, outlining what anticipated treatment Mr. Mason would be undergoing in the next few weeks.

On May 7, 2007, the Court received a letter from a physician who indicated that he was treating the Defendant and that he anticipated surgery on Mr. Mason on or about May 9, 2007. As a result of that procedure, the Defendant would be hospitalized approximately one week and he would be expected to require an additional six weeks of recovery. Because it appears that the Defendant will be incapacitated for approximately six weeks from May 9, 2007, the Court, *sua sponte*, will continue the report date of May 29, 2007 and will reset the report date for June 25, 2007, at 9:30 a.m., in Courtroom #1 before the undersigned. The time under the Speedy Trial Act will be excluded based upon the Defendant's incapacity and the fact that he will be under medical care and recuperation during this additional period of time.

**IT IS SO ORDERED** this 14<sup>th</sup> day of May, 2007.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE